

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No.: 3:10-cv-00228-FDW-DSC**

**BRIDGETREE, INC. AND TWO BIT
DOG, LLC,**

Plaintiffs,

v.

**RED F MARKETING LLC, TARGET
POINT, LLC, DANIEL ROSELLI, TENG
LI, JASON LI, MALI XU, MARK
EPPERLY, AND ELTON T. SCRIPTER,**

Defendants.

**DEFENDANT ELTON T. SCRIPTER'S
ANSWER TO PLAINTIFFS'
COMPLAINT**

Defendant Elton T. Scripter ("Scripter), for his Answer and Further Defenses to Plaintiffs' Complaint, responds and alleges as follows:

ANSWER

General Response

Except as expressly admitted, Scripter denies each and every allegation of the Complaint.

As to the Separately-Numbered Paragraphs of the Complaint

1. Scripter admits that Plaintiffs Bridgetree, Inc. ("Bridgetree") and Two Bit Dog, LLC ("Two Bit Dog") bring this Complaint, but specifically denies that he has engaged in "data theft, trade secret misappropriation, unlawful access to Bridgetree's computers and unfair competition" as alleged in Paragraph 1. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations. Scripter denies any remaining allegations in Paragraph 1.

2. Scriptor denies the allegations contained in Paragraph 2 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

3. Scriptor denies the allegations contained in Paragraph 3 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

4. Scriptor denies the allegations contained in Paragraph 4 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

5. Scriptor admits so much of paragraph 5 as alleges that on January 1, 2010, Scriptor met with Defendants Roselli, Epperly and Teng Li at a Charlotte restaurant. Scriptor denies the remaining allegations contained in Paragraph 5.

6. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 and, as such, denies the allegations.

7. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 and, as such, denies the allegations.

8. Scriptor denies the allegations contained in Paragraph 8 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

9. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 and, as such, denies the allegations.

10. Scripter admits so much of Paragraph 10 as alleges that Bridgetree provides marketing data, information, analytics and logistics services. Scripter is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 10 and, as such, denies the allegations.

11. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11 and, as such, denies the allegations.

12. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 and, as such, denies the allegations.

13. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 and, as such, denies the allegations.

14. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 and, as such, denies the allegations.

15. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 15 and, as such, denies the allegations.

16. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16 and, as such, denies the allegations.

17. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 and, as such, denies the allegations.

18. Scripter is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18 and, as such, denies the allegations.

19. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 and, as such, denies the allegations, except that Scriptor specifically denies the third sentence of Paragraph 19 to the extent Plaintiffs intended to include Scriptor in that allegation.

20. The allegations in Paragraph 20 are admitted, except that Scriptor is Advanced Analytics and Optimization Manager of IBM Global Business Services rather than of “IBM Business Service.”

21. Paragraph 21 asserts conclusions of law to which no response is necessary or required. To the extent an answer is required, Scriptor admits that Plaintiffs purport to bring this action pursuant to the statutes alleged, which statutes speak for themselves, although Scriptor specifically denies that Plaintiffs can establish any right to recover against him on Plaintiffs’ claims in this action.

22. Paragraph 22 asserts conclusions of law to which no response is necessary or required. To the extent an answer is required, Scriptor admits that Plaintiffs allege that this Court has personal jurisdiction over Defendants.

23. Paragraph 22 asserts conclusions of law to which no response is necessary or required. To the extent an answer is required, Scriptor admits that Plaintiffs purport to base venue of this matter in this Court pursuant to 28 U.S.C. 1391(b) and (c).

24. Scriptor denies the allegations contained in Paragraph 24 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

25. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 25 and, as such, denies the allegations.

26. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 and, as such, denies the allegations.

27. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 27 and, as such, denies the allegations.

28. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 28 and, as such, denies the allegations.

29. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29 and, as such, denies the allegations.

30. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30 and, as such, denies the allegations.

31. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31 and, as such, denies the allegations.

32. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32 and, as such, denies the allegations.

33. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 33 and, as such, denies the allegations.

34. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 34 and, as such, denies the allegations.

35. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 35 and, as such, denies the allegations.

36. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 36 and, as such, denies the allegations.

37. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 and, as such, denies the allegations.

38. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 38 and, as such, denies the allegations.

39. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39 and, as such, denies the allegations.

40. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 and, as such, denies the allegations.

41. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41 and, as such, denies the allegations.

42. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 42 and, as such, denies the allegations.

43. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 43 and, as such, denies the allegations.

44. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 44 and, as such, denies the allegations.

45. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 45 and, as such, denies the allegations.

46. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 46 and, as such, denies the allegations.

47. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 47 and, as such, denies the allegations.

48. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 48 and, as such, denies the allegations.

49. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 49 and, as such, denies the allegations.

50. Scriptor denies the allegations contained in Paragraph 50 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

51. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 51 and, as such, denies the allegations.

52. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 52 and, as such, denies the allegations.

53. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 53 and, as such, denies the allegations.

54. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 54 and, as such, denies the allegations.

55. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 55 and, as such, denies the allegations.

56. Scriptor admits so much of Paragraph 56 as alleges that Scriptor joined IBM as an employee in November, 2009 and that Scriptor's duties included finding vendors to work with IBM clients. Scriptor denies the remaining allegations contained in Paragraph 56 to the extent

those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 56 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

57. Scriptor admits so much of Paragraph 57 as alleges that on January 1, 2010, Defendants Roselli, Epperly, Scriptor and Teng Li met at a restaurant in Charlotte, North Carolina. Scriptor denies the remaining allegations contained in Paragraph 57.

58. Scriptor denies the allegations contained in the first sentence of paragraph 58. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 58 and, as such, denies the allegations.

59. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 59 and, as such, denies the allegations.

60. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 60 and, as such, denies the allegations.

61. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 61 and, as such, denies the allegations.

62. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 62 and, as such, denies the allegations.

63. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 63 and, as such, denies the allegations.

64. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 64 and, as such, denies the allegations.

65. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 65 and, as such, denies the allegations.

66. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 66 and, as such, denies the allegations.

67. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 67 and, as such, denies the allegations.

68. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 68 and, as such, denies the allegations.

69. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 69 and, as such, denies the allegations.

70. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 70 and, as such, denies the allegations.

71. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 71 and, as such, denies the allegations.

72. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 72 and, as such, denies the allegations.

73. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 73 and, as such, denies the allegations.

74. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 74 and, as such, denies the allegations.

75. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 75 and, as such, denies the allegations.

76. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 76 and, as such, denies the allegations.

77. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 77 and, as such, denies the allegations.

78. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 78 and, as such, denies the allegations.

79. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 79 and, as such, denies the allegations.

80. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 80 and, as such, denies the allegations.

81. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 81 and, as such, denies the allegations.

82. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 82 and, as such, denies the allegations.

83. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 83 and, as such, denies the allegations.

84. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 84 and, as such, denies the allegations.

85. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 85 and, as such, denies the allegations.

86. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 86 and, as such, denies the allegations.

87. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 87 and, as such, denies the allegations.

88. Scriptor denies the allegations contained in Paragraph 88 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 88 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

89. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 89 and, as such, denies the allegations.

90. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 90 and, as such, denies the allegations.

91. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 91 and, as such, denies the allegations, except that Scriptor specifically denies that he was ever involved in any way in “the conspiracy and planning” for any “raid” Plaintiffs allege to have occurred.

92. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 92 and, as such, denies the allegations.

93. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 93 and, as such, denies the allegations.

94. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 94 and, as such, denies the allegations.

95. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 95 and, as such, denies the allegations.

96. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 96 and, as such, denies the allegations.

97. Scriptor admits that he joined IBM as an employee in November 2009. Scriptor denies the remaining allegations in Paragraph 97.

98. Scriptor denies the allegations contained in Paragraph 98 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 98 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

99. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 99 and, as such, denies the allegations.

100. Scriptor admits so much of Paragraph 100 as alleges that on December 28, 2009, Scriptor sent Epperly and Roselli an email. Scriptor denies the remaining allegations contained in Paragraph 100.

101. Scriptor admits so much of Paragraph 101 as alleges that on December 30, 2009, Scriptor received an email from Epperly regarding Red F's participation in a conference call. Scriptor denies the remaining allegations contained in Paragraph 101.

102. Scriptor admits so much of Paragraph 102 as alleges that Defendants Scriptor, Roselli, Teng Li and Epperly participated in a conference call. Scriptor denies the remaining the allegations contained in Paragraph 102.

103. Scriptor admits so much of Paragraph 103 as alleges that on January 1, 2010, Defendants Roselli, Epperly, Scriptor and Teng Li met at a restaurant in Charlotte, North Carolina, and that Epperly sent an email concerning the meeting in which his signature block identified him as the President of TargetPoint. Scriptor denies the remaining the allegations contained in Paragraph 103.

104. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 104 and, as such, denies the allegations.

105. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 105 and, as such, denies the allegations, except that Scriptor specifically denies that he “coveted” any Bridgetree Xian employees.

106. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 106 and, as such, denies the allegations, except that Scriptor specifically denies that he was engaged in any illegal conspiracy with the other Defendants at any time.

107. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 107 and, as such, denies the allegations.

108. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 108 and, as such, denies the allegations.

109. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 109 and, as such, denies the allegations.

110. Scriptor denies the allegations contained in Paragraph 110 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 110 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

111. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 111 and, as such, denies the allegations.

112. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 112 and, as such, denies the allegations.

113. Scriptor admits so much of Paragraph 113 as alleges that in January, while in New York, Scriptor telephoned Beck and left a voice mail message. Scriptor denies the remaining allegations contained in Paragraph 113.

114. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 114 and, as such, denies the allegations.

115. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 115 and, as such, denies the allegations.

116. Scriptor denies the allegations contained in Paragraph 116 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 116 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

117. Scriptor denies the allegations contained in Paragraph 117 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 117 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

118. Scriptor denies the allegations contained in Paragraph 118 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 118 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

119. Scriptor denies the allegations contained in Paragraph 119 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 119 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

120. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 120 and, as such, denies the allegations.

121. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 121 and, as such, denies the allegations.

122. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 122 and, as such, denies the allegations.

123. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 123 and, as such, denies the allegations.

124. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 124 and, as such, denies the allegations.

125. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 125 and, as such, denies the allegations.

126. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 126 and, as such, denies the allegations.

127. Scriptor denies the allegations contained in Paragraph 127 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 127 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

128. Scriptor denies the allegations contained in Paragraph 128 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 128 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

129. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 129 and, as such, denies the allegations.

130. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 130 and, as such, denies the allegations.

131. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 131 and, as such, denies the allegations.

132. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 132 and, as such, denies the allegations.

133. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 133 and, as such, denies the allegations.

134. The responses contained within paragraphs 1 through 133 of this answer are re-asserted and incorporated herein by reference.

135. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 135 and, as such, denies the allegations.

136. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 136 and, as such, denies the allegations.

137. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 137 and, as such, denies the allegations.

138. Scriptor denies the allegations contained in Paragraph 138 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 138 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

139. Scriptor denies the allegations contained in Paragraph 139 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 139 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

140. Scriptor denies the allegations contained in Paragraph 140 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 140 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

141. Scriptor denies the allegations contained in Paragraph 141 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 141 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

142. Scriptor denies the allegations contained in Paragraph 142 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 142 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

143. The responses contained within paragraphs 1 through 142 of this Answer are re-asserted and incorporated herein by reference.

144. Scriptor admits so much of Paragraph 144 as alleges that the Plaintiffs' claim for relief purports to arise under RICO, and Plaintiffs purport to assert them against the identified Defendants. Scriptor denies the remaining allegations contained in Paragraph 144.

145. The allegations of Paragraph 145 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without

knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 145, and, as such, denies the allegations.

146. The allegations of Paragraph 146 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 146, and, as such, denies the allegations.

147. The allegations of Paragraph 147 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 147 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 147 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

148. The allegations of Paragraph 148 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 148 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 148 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

149. The allegations of Paragraph 149 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 149 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations

contained in Paragraph 149 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

150. Scriptor denies the allegations contained in Paragraph 150 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 150 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

151. The allegations of Paragraph 151 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 151 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 151 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

152. The responses contained within Paragraphs 1 through 151 of this Answer are re-asserted and incorporated herein by reference.

153. The allegations of Paragraph 153 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 153 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 153 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

154. The allegations of Paragraph 154 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 154 to the extent those allegations relate to him. Scriptor is

without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 154 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

155. The responses contained within Paragraphs 1 through 154 of this Answer are re-asserted and incorporated herein by reference.

156. The allegations of Paragraph 156 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 156, and, as such, denies the allegations.

157. The allegations of Paragraph 157 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 157, and, as such, denies the allegations.

158. The responses contained in paragraphs 1 through 157 of this Answer are re-asserted and incorporated herein by reference.

159. The allegations of Paragraph 159 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 159 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 159 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

160. The allegations of Paragraph 160 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the

allegations contained in Paragraph 160 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 160 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

161. The allegations of Paragraph 161 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 161 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 161 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

162. The allegations of Paragraph 162 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 162 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 162 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

163. The allegations of Paragraph 163 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 163 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 163 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

164. Scriptor denies the allegations contained in Paragraph 164 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 164 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

165. The allegations of Paragraph 165 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 165 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 165 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

166. The allegations of Paragraph 166 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 166 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 166 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

167. The responses contained within paragraphs 1 through 166 of this complaint are re-asserted and incorporated herein by reference.

168. The allegations of Paragraph 168 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 168, and, as such, denies the allegations.

169. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 169 and, as such, denies the allegations.

170. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 170 and, as such, denies the allegations.

171. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first two sentences of Paragraph 171 and, as such, denies the allegations. The allegations in the last sentence of Paragraph 171 constitute conclusions of law to which no responsive pleading is required. To the extent a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in the last sentence of Paragraph 171 and, as such, denies the allegations.

172. The responses contained within paragraphs 1 through 171 of this Answer are re-asserted and incorporated herein by reference.

173. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 173 and, as such, denies the allegations.

174. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 174 and, as such, denies the allegations.

175. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 175 and, as such, denies the allegations.

176. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 176 and, as such, denies the allegations.

177. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 177 and, as such, denies the allegations.

178. The responses contained within paragraphs 1 through 177 of this Answer are re-asserted and incorporated herein by reference.

179. Scriptor denies the allegations contained in Paragraph 179 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 179 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

180. Scriptor denies the allegations contained in Paragraph 180 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 180 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

181. The allegations of Paragraph 181 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 181 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 181 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

182. The allegations of Paragraph 182 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor denies the allegations contained in Paragraph 182.

183. Scriptor denies the allegations contained in Paragraph 183 to the extent those allegations relate to him. Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 183 to the extent those allegations relate to the other Defendants in this action, and, as such, denies the allegations.

184. The responses contained within paragraphs 1 through 183 of this Answer are re-asserted and incorporated herein by reference.

185. The allegations of Paragraph 185 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 185, and, as such, denies the allegations.

186. The allegations of Paragraph 186 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 186, and, as such, denies the allegations.

187. The allegations of Paragraph 187 constitute conclusions of law to which no responsive pleading is required. To the extent that a response is required, Scriptor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 187, and, as such, denies the allegations.

Further Defenses

First Further Defense

Plaintiffs' claims against Scriptor should be dismissed for failure to state a claim upon which relief may be granted under Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Second Further Defense

Plaintiffs' claims should be dismissed against Scriptor because Plaintiff has not suffered any damages as a result of the conduct alleged in the Complaint.

Third Further Defense

To the extent that Plaintiffs have suffered damages from the conduct alleged in the Complaint, which Scriptor denies, Scriptor's conduct was not the legal or proximate cause of those damages.

Fourth Further Defense

Plaintiffs' claims are barred because the damages alleged to have been caused by Scriptor's conduct are entirely speculative in nature.

Fifth Further Defense

To the extent Plaintiffs have suffered damages from any conduct by Scriptor alleged in the Complaint, which Scriptor denies, Plaintiffs have failed to mitigate any such damages and, hence, Plaintiffs are barred from recovering any such damages from Scriptor.

Sixth Further Defense

Scriptor acted at all times in good faith and with a legitimate business purpose.

Seventh Further Defense

Plaintiffs cannot prove facts sufficient to establish a claim for unfair trade practices under N.C.G.S. § 75-1.1 against Scriptor; hence, Plaintiffs' claim for unfair trade practices should be dismissed.

Eighth Further Defense

Scriptor is entitled to recover attorney's fees pursuant to N.C. Gen. Stat. §§ 75-16 and 75-16.1 in that Plaintiffs' alleged claims against Scriptor are, and Plaintiffs' conduct in pursuing the claims is, frivolous, unreasonable, without foundation, or in bad faith.

Ninth Further Defense

Scripter expressly reserves the right to plead additional defenses and other matters of defense to the Complaint by way of amendment after further discovery and investigation is complete.

WHEREFORE, Scripter respectfully prays that this Court grant the following relief:

1. That Plaintiffs have and recover nothing of Scripter and that the Court dismiss Plaintiffs' Complaint against Scripter with prejudice;
2. That the Court enter judgment in favor of Scripter;
3. That the Court tax the costs of this action, including reasonable attorneys' fees (including pursuant to N.C.G.S. §§ 75-16 and 75-16.1), against Plaintiffs; and
4. That Scripter have such other and further relief as this Court deems just and proper.

This 1st day of July, 2010.

s/ Louis A. Bledsoe, III

Louis A. Bledsoe, III

N.C. Bar No. 12730

Kate E. Payerle

N.C. Bar No. 36987

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **DEFENDANT ELTON T. SCRIPTER'S ANSWER TO PLAINTIFFS' COMPLAINT** has been electronically filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of the filing to the following parties to this action:

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This 1st day of July, 2010.

s/ Louis A. Bledsoe, III

Louis A. Bledsoe, III
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